



# Town of Merrimack, New Hampshire

Community Development Department  
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Planning - Zoning - Economic Development - Conservation

## RESULTS OF MERRIMACK ZONING BOARD OF ADJUSTMENT WEDNESDAY, MAY 27, 2015

**Members present:** Fran L'Heureux, Patrick Dwyer, Richard Conescu, Lynn Christensen (arrived 7:03 p.m.), and Alternate Leonard Worster.

**Member absent:** Tony Pellegrino

**Staff present:** Planning and Zoning Administrator Jillian Harris, Planning Intern Emily Edwards, and Recording Secretary Zina Jordan.

### 1. Call to Order.

*Fran L'Heureux called the meeting to order at 7:00 p.m. and designated Leonard Worster to sit for Tony Pellegrino.*

### 2. Roll Call.

*Richard Conescu led the pledge of allegiance. Patrick Dwyer read the preamble and swore in members of the public who would be testifying. Lynn Christensen arrived at 7:03 p.m.*

- 3. Ben Forleo (petitioner) and Leo Bosse Rev. Trust (owner) –** Variance under Section 3.05 of the Zoning Ordinance to permit the construction of a single-family home 22.9 ft. from the front property line whereas 30 ft. is required and 35.8 ft. from the rear property line whereas 40 ft. is required. The parcel is located at 3 Sunset Drive in the R (Residential) District, Aquifer Conservation District and Wellhead Protection Area. Tax Map 3C, Lot 008. Case # 2015-12. *This item is continued from the April 29, 2015 Zoning Board meeting.*

*Applicant was represented by: Chris Guida, Soil and Wetland Scientist, Fieldstone Land Consultants, PLLC, and Ben Forleo, 3 Sunset Drive.*

*There was no public comment.*

*The Board voted 5-0-0 to grant the Variance, with one condition, on a motion made by Patrick Dwyer and seconded by Richard Conescu.*

- 4. Mona Paquette (petitioner/owner) –** Variance under Section 3.02 of the Zoning Ordinance to permit the construction of a 10 x 20 ft. pool deck 15.25 ft. from the rear property line whereas 60 ft. is required. The property is located at 4 Lawrence Road in the R-1 (Residential) District. Tax Map 7C, Lot 001-01. Case # 2015-14.

*Applicant was represented by: Mona Paquette, 4 Lawrence Road.*

*There was no public comment.*

*The Board voted 5-0-0 to grant the Variance, on a motion made by Patrick Dwyer and seconded by Richard Conescu.*

- 5. Mona Paquette (petitioner/owner) –** Variance under Section 3.02 of the Zoning Ordinance to permit the construction of a 4 x 10 ft. extension of a deck and stairs 42 ft. from the rear property line whereas 60 ft. is required. The property is located at 4 Lawrence Road in the R-1 (Residential) District. Tax Map 7C, Lot 001-01. Case # 2015-15.

*Applicant was represented by: Mona Paquette, 4 Lawrence Road.*

*There was no public comment.*

*The Board voted 5-0-0 to grant the Variance, on a motion made by Patrick Dwyer and seconded by Richard Conescu.*

- 6. Psalm 24:1, LLC. (petitioner) and TW Bridge Associates, LLC. (owner) –** Variance under Section 2.02.1(A) of the Zoning Ordinance to permit a light manufacturing use in the R (Residential) and Town Center Overlay Districts. The parcel is located at 10 Twin Bridge Road, Units 2A & 2B. Tax Map 5D-3, Lot 115. Case # 2015-16.

*Applicant was represented by: Pastor Jeff Muster, Psalm 24:1, LLC.*

*There was no public comment.*

*The Board voted 5-0-0 to grant the Variance, with one condition, on a motion made by Richard Conescu and seconded by Patrick Dwyer.*

- 7. Psalm 24:1, LLC. (petitioner) and TW Bridge Associates, LLC. (owner) –** Special Exception under Section 2.02.1(B) and 2.02.13(D)(1) of the Zoning Ordinance to permit a church use in the R (Residential) and Town Center Overlay Districts. The parcel is located at 10 Twin Bridge Road, Units 2A & 2B. Tax Map 5D-3, Lot 115. Case # 2015-17.

*Applicant was represented by: Pastor Jeff Muster, Psalm 24:1, LLC.*

*There was no public comment.*

*The Board voted 5-0-0 to grant the Special Exception, with one condition, on a motion made by Richard Conescu and seconded by Patrick Dwyer.*

- 8. Tamsad Realty, LLC. (petitioner/owner) –** Special Exception under Section 2.02.2(C) of the Zoning Ordinance to permit the conversion of a single-family residence to a two-family residence. The parcel is located at 633 D.W. Highway in the C-1 (Limited Commercial) and Aquifer Conservation Districts and Wellhead Protection area. Tax Map 6E-2, Lot 024. Case #2015-18.

*Applicant was represented by: Naga Tamragouri, Tamsab Realty, LLC.*

*Public comment was received from: Pat Wolfendale, 4 Allen Road; and Patricia Cadegan, 6 Hilton Drive.*

*The Board voted 4-1-0 to table this item to June 24, 2015, at 7:00 p.m., in the Matthew Thornton Meeting Room, on a motion made by Patrick Dwyer and seconded by Leonard Worster. Rich Conescu voted in the negative.*

- 9. Mario Fortin and Nitrof Investments, LLC. (petitioner/owner) –** Variance under Section 3.02 of the Zoning Ordinance to permit a 18'x60' storage shed 2 feet from the side property

line where as 20 feet is required. The parcel is located at 82 D.W. Hwy in the I-1 (Industrial) and Aquifer Conservation Districts. Tax Map 2D, Lot 040. Case # 2015-19.

*Applicant was represented by: Mario & Chris Fortin, Nitro Investments, LLC.*

*Public comment was received from: Frank Lagana, 4 John Tyler Street.*

*The Board voted 5-0-0 to grant the Variance, with one condition, on a motion made by Richard Conescu and seconded by Patrick Dwyer.*

**10. Discussion/possible action regarding other items of concern.**

*This item was discussed after item #11.*

*Discussion only.*

**11. Approval of Minutes – April 29, 2015.**

*This item was discussed before item #10.*

*The minutes of April 29, 2015, were tabled to June 24, 2015, at 7:00 p.m., in the Matthew Thornton Meeting Room, by a vote of 4-1-0, on a motion made by Leonard Worster and seconded by Richard Conescu. Patrick Dwyer voted in the negative.*

*The minutes of March 25, 2105, were tabled to June 24, 2015, at 7:00 p.m., by a vote of 5-0-0, in the Matthew Thornton Meeting Room, on a motion made by Richard Conescu and seconded by Patrick Dwyer.*

**12. Adjourn.**

*The meeting adjourned at 8:38 p.m., by a vote of 5-0-0, on a motion made by Richard Conescu and seconded by Patrick Dwyer.*